(20)

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**W.P.(S) No. 5707 of 2007**

**PETITIONERS**

1. Aado Ram Banjare S/o Shri Aganu Ram Banjare Age about 37 years, Asstt. Teacher, Govt. Primary School, Bagdwar, Block – Chhuria, Distt. - Rajnandgaon (C.G.)
2. Deepak Dewangan S/o Shri Narad Lal Dewangan Age about 40 years, Asstt. Teacher, Govt. Primary School, Bagdwar, Block – Chhuria, Distt. – Rajnandgaon (C.G.)
3. Radheshyam Sahu S/o Shri Bisheshar Das Sahu Age about 36 years, Asstt. Teacher, Govt. Girls Middle School, Dondilohara, Distt. – Durg (C.G.)
4. Khilawan Ram Sahu S/o Shri Kishun Ram Sahu Age about 37 years, Asstt. Teacher, Govt. Primary School, Dashrangpur, Distt. – Kabirdham Kawardha (C.G.)

***Versus***

**RESPONDENTS**

1. State Govt. of Chhattisgarh Through: Secretary, School Education Department Ministry, D.K.S. Bhawan, Raipur (C.G.)
2. District Education Officer Distt. Rajnandgaon (C.G.)
3. District Education Officer Distt. Durg (C.G.)

**(Writ Petition under Article 226of the Constitution of India)**

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**Appearance:**

Shri Ajay Shrivastava, counsel for the petitioners.

Shri Ajay Dwivedi, Panel Lawyer for the State on advance copy.

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**ORAL ORDER**

**(17.09.2007)**

**SUNIL KUMAR SINHA, J.**

Heard on admission.

Learned counsel for the petitioners submits that the petitioners have passed B.T.I. examination on their own expenses, therefore, they are entitled to receive two advance increments according to circulars dated 24.12.1998 and 01.03.1999. He also submits that in many identical matters,

the petitions have been allowed in terms of the order passed in the case of ***Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another {2006 (II) MPJR-CG 96}***. He submits that the case of the petitioners is squarely covered by the said Judgment.

This legal position is not disputed by the learned counsel for the State. However, he submits that the order may be passed in terms of the said judgment, but it shall be subjected to verification regarding petitioners' such qualification.

Accordingly, this writ petition is allowed in terms of the order passed in case of *Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra)* subject to verification of the facts as to whether the petitioners had acquired B.T.I. Examination Certificates on their own expenses as per circulars dated 24.12.1998 and 01.03.1999 and further whether they have been paid two advance increments or not.

The petition stands finally disposed of. No order as to costs.

**Sd/-**
**Sunil Kumar Sinha**
**Judge**

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